

**TOWN OF PEACHAM
SELECTBOARD MEETING MINUTES
Town Hall Meeting Room
Wednesday September 2, 2015 6:30PM**

Present:

Selectboard: Annette Lorraine, Nate Giroux, and David Jacobs

Clerk to the Selectboard: Melissa Laurita Kohl

Public: Rodney Reis, Mary Ellen Reis, Aubrey Cabot-Case, Liza Cabot-Case, Mat Kiley, Mike Bruton, Principal Judy Ross, Geoff Sewake, Stephen Engle, Road Foreman Jeremy Withers, John Kaplan, Dale Roy

The meeting was called to order by Board Chair Nate Giroux at 6:30 PM.

1) Additions

- a) Principal Judy Ross
- b) Geoff Sewake re: Planning Commission
- c) Stephen Engle
- d) Roller Barn

2) Minutes:

- a) **David moves to approve the minutes of 8/19/15. Annette seconds. So moved.**

3) Principal Judy Ross

- a) Huge thank you to town of Peacham for all of the playground work that went on.
- b) Another safety incident issue with kids riding bikes to school. We have contracted with the sheriff's department to be on site in the morning when kids are going to school. Have a corporate sponsor for the sheriff's presence. The Caledonia County sheriff's department said that they did not have a contract with the Town of Peacham on file.
- c) Nate said that we do have a contract with the sheriff's office. He will call them and Tom or Melissa will find the contract.
- d) Judy said that the calming signal has really helped.

4) Mel and Rodney Reis re: Spraying the Walkway

- a) Mel and Rodney brought in their concerns about the walkway that goes through the village.
- b) It was unclear what the road right of way was on a military road.
- c) Rodney said that it was put in 14 years ago. with no maintenance plan. So it grew back in. He had plowed it with a neighbor every snowstorm for 10 years.
- d) Rodney came home and saw flags on the lawn. He took his dog up the path and noticed the path was wet. He immediately realized that it had been sprayed and got off the path. He was never notified by mail, phone, or knocking on door that roundup - poison - was sprayed on his property.
- e) Mel and Rodney Reis said that they do not want the path to be put back in if there is no maintenance plan in place.
- f) David said that if people do not know there is a walk there, they are walking in the street. And that is a safety issue.
- g) Nate said that the Selectboard had discussed this through last winter. The Selectboard had talked about having Joe Lane or someone else local come through with a snowblower and have the path open for the school in the winter. He said that he understood Mel and Rodney's point about roundup and the weedkiller and admittedly that should have gone differently. He apologized for that.
- h) Annette said that the Selectboard thought they had made arrangements for contact.

- i) Nate said that as far as bringing the path back to gravel maybe the Selectboard should have a discussion with all of the property owners to see how they feel about it.
- j) Stephen Engle and the Reis' said that at least three families do not want the gravel there. They are the ones who have to look at it and have to maintain it (with the pebbles going everywhere, including gardens).
- k) Mel has written two books with the PHA about the historical association. She would rather go with the staymat if we needed to go with that (as opposed to concrete) but the three of us would prefer to have the grass path. It is beautiful and easy to maintain.
- l) David said that the Selectboard was at fault for not notifying everyone and he apologized.
- m) Annette said that public safety is the Selectboard's first concern. The Selectboard has had complaints with kids riding bikes and mothers pushing strollers.
- n) Judy said the school really liked the idea of the path being an accessible place. If you could keep that open year round and it is a safe surface for kids riding a bike.
- o) The Reis' said that their kids rode their bikes on it and they pushed strollers on it without a problem. They think that grass is a safer softer surface if you fall (as opposed to staymat or concrete).
- p) Annette just wants to get input from more community members.
- q) Nate said shy of going to a straight staymat we could every few years we could take edge out (of the grass path) and make sure it is level. Then it could stay grass. Because things move and heave.
- r) Liza said here is another really crazy thought - the historic pathways in towns were wood planks and it is approved for wheelchair access.
- s) Aubrey asked why did the path have to be sprayed with roundup. He has worked there pretty consistently for a couple of weeks. He would not have taken the job if he had known. And he works for the afterschool program and does not want to take the kids up there to the farmers market on that path. Why did we have to spray poison?
- t) Mel is concerned that if the Selectboard approves this, it will have a maintenance plan for a year and then four years from now we will be in the same place.
- u) David said that roundup was applied by a licensed applicator and is inert after it has dried.
- v) Matt said that in year 2000 when the sidewalk was resurrected, the Selectboard at that time had asked for estimates for concrete, cobblestones with presidents names, all judged too expensive. The staymat was affordable and had a budget of about \$3,000. Combined with volunteer labor and a deal on staymat, via Allen Thresher, they were able to do it. The 3/4 inch staymat had gone in on the recommendation of Allen Thresher. 3/8 would have packed tighter and would have been more smooth. The 3/4 had the pebbles.
 - i) In 2000 they did the research to see why the historic path was so far off the road. Maintenance was discussed at the time. Because of the kindness of Rodney and Larry Jensen, the path got very defined in the winter time through plowing. For the first 4 or 5 years Matt tried to maintain it to try to keep the creep of the grass back, but he said that he may have made it worse. The problem is not just winter maintenance, not just summer maintenance. People do not know it's there. They walk in the road. People do not want to impinge on other people's private property. He saw it and he held his breath for years. He will take responsibility for not notifying everyone. He doesn't remember but he probably said he would do it. He got caught up in the whole Ben and Jerry's thing at the school (putting in the new playground) and he dropped the ball. He flagged it the day before but the day that it was happening - he was there to meet Mr Brown at 8 am - Mr Brown didn't actually come until noon. It was applied some time in the early afternoon. There were a couple of areas that were skipped. The Selectboard had recognized the need for

safety. But it's the summer time use. The town has more activity down here now.

- w) Stephen - when it comes to a discussion about the relative merits of these materials he wanted to say that as perhaps the biggest use of staymat in Peacham, that it washes away into the grass.
 - x) Nate said that if it would go back to staymat the question is how many years is it going to be kept up and implemented before it goes back to grass again if the Selectboard changes. Annette said maybe if we have a special line item in the budget then even if we rotate out, the institutional memory will be jogged every year.
 - y) Liza asked how would you go about getting input from the community, including parents of kids at school? David said that Judy could put an email out to the school and make one of those phonecalls that goes out to everyone involved with the school.
 - z) Stephen suggested that there should be better signage - so people know where to go. Nate said that a couple of signs, a maintenance plan and a village pathway marker should happen.
 - aa) Jeremy said that once you plow it you have to sand it because it will ice over. Rodney does not have a problem with the sand. No salt.
 - bb) Dale said that he thinks a lot of people are missing the basic point. He lived here all his life - it will turn into a muddy little ribbon in spring so you gonna have to do something about paving it. David said that there is a lot of gravel so it drains well - a pretty good base.
 - cc) Nate said that the next step is to solicit input and come up with a maintenance plan. It probably would be the next Selectboard meeting. If people want to submit input in writing. Send Judy a statement about what we seek. Post online and FPF and craigslist.
 - dd) Matt said that one really good idea possibly be that something was applied to the grass that doesn't end in '-ide. i recognize that roundup is approved and laws in vt don't require notification for its application. David said vinegar. Nate said we may have to have this in the gym next time.
 - ee) Aubrey said that personally we are trying to encourage people to walk there and now i know myself and a few other people are walking in the street instead.
 - ff) Matt said that once the grass was dead from the recommended chemical that was applied - it had been my plan with my wheelbarrow and tractor to dig it out. As a volunteer.
 - gg) Aubrey - personally i would have pulled it myself to prevent roundup from being sprayed.
 - hh) Mel - they need a plan to solicit against.
 - ii) David said that it might take us more than the next Selectboard meeting. We are going to have to walk that path to see what is going on. On agenda for next meeting - site visit for the path. Talk about it and plan for the path and maintenance. Meeting after that will have public comment.
 - jj) Stephen - one other request - before next time can we know what the easement we are invoking is - we want a piece of paper from the state of vermont. Matt said this would be part of the minutes from the year 2000. And then the orange book.
 - kk) Matt thanked Jeremy for the top of Academy Hill rd where two cars can pass now.
- 5) Geoff said that we have been going through the bylaws but we have not been able to get a quorum for the last two meeting. I am reluctantly the chair. I spoke with Nick and he said that he does not think that any money was spent through the planning grant. any billing would have been through NVDA.
- a) Annette said that if you want to have consult a consultant.
 - b) Geoff said that his mental plan is that he can have the authority to contract NVDA to review the bylaws and to have the village maps and ag overlay maps done.

Any legal requirements from state can be put in., then it could become a pre-hearing process. We want to do a big public process.

- c) Annette said that NVDA may not be able to satisfy all of your needs. She recommended Paul Doherty.
 - d) Geoff said that would be for a different kind of zoning that would set us back another year or so. That would be form-based code. I think after we get through the bylaws, town plan process, then from there go into form-based code.
 - e) Essentially the reason why I came was to update you and to move forward. Annette said that you already have our blessing to hire NVDA or whoever and just keep Annette posted so she can talk to Tom.
 - f) Annette - can you update us on who your planning commission members are.
 - g) Geoff - the planning commission is Nick Comerchi, Marilyn Magnus, myself, and Tim Scott, but have to revisit with him to see if he is still interested. We have another opening. If Melissa could be an alternate then we could still hold a meeting if she is there.
 - h) **Annette moves that we appoint Melissa as an alternate to the Planning Commission. David seconds. So moved.**
 - i) Geoff said just a couple of side comments on public process - I work for... - we do a lot of outreach process and it's a great way to really involve the community. There are all sorts of ways that don't require you to be at a meeting. There are a lot of creative solutions - there are grants. Would like to incorporate that into town plan process.
- 6) Stephen - another walkway - up the hill here. There is a sign there along the road - it says Academy Apartments - signage falling off, can't read it.
- a) David says that is the responsibility of EP Management however PCH is hiring the corrections crew to make a new sign this winter and there will be a new sign next spring.
- 7) One day liquor license approvals and whether to delegate to town clerk
- a) **Nate moves to delegate authority to sign one day liquor licenses to the town clerk. Annette seconds. So moved.**
- 8) Kinnerson Drive
- a) That letter has the two options with it. PCH chose the option to grade it once a year. Jeremy has said that he is not comfortable with that.
 - b) Mike Bruton agrees with Jeremy. He suggested that the town hire a private contractor to have it done. He thinks it would eliminate a lot of problems for Jeremy. He wants to protect Jeremy and make him feel better and to keep him here because he is a great guy.
 - c) David says that he thinks that is a great idea. Nate and Annette agree.
 - d) Mike knows we have to throw some taxpayer money in there and he doesn't like that but that's okay.
 - e) Nate said that the reason that this makes good sense is that we already have the access road for the cemetery as opposed to how much it would cost to put in a new road..
 - f) Annette said that we just need to check our budget - because we have a line item for contracted services and using the road crew was a way to do it in-kind.
 - g) David said that the town will have a legal easement to use that driveway. When the easement is approved and signed then that work will be done. As it stands now, Jutta and Scott are working really hard to get a letter to us from Vermont Housing and Conservation Vermont and PCH to say we agree to an easement.
 - h) Nate - then we could send it out to bid. Annette said that if it doesn't work in this year's budget, then January is not far away.
 - i) Mike said that he appreciates the Selectboard's willingness to this approach.
- 9) Road Foreman Update

- a) Jeremy said that he had a request for spraying a driveway with chloride. It's a private driveway. Apparently it has happened in years past. The person who asked said to just keep track of the chloride the road crew sprays and charge him for it. Nate said that it used to be a popular thing. Annette said that if people cannot find someone to do a service they can hire the road crew but the road crew/town cannot compete with private enterprise.
- b) Nate said that we have gotten to the point where it used to happen but it is not supposed to happen. If there is a problem or question with it, they can come to us.
- c) Annrte said that it is a matter of State law. The town cannot compete with private contractors.
- d) Other than that, Jeremy said that the road crew is doing well. The road crew is out there constantly. He just ordered fuel. That's going to become an issue. Fuel price keeps going down, but this is our third load for the year and that's what we are budgeted for.
- e) Garage water is still flowing. Not muddy. They can wash trucks. He thinks that in December it needs to be put in the budget to put in a well or re-dig this line. After talking to the state about putting a sand shed over our sand pile.
- f) Have had some truck repairs.

10) No town clerk update.

11) Roller Barn

- a) Dick Hovey wants the temporary ramp up for fall foliage day - October 1. Nate said he would do it.
- b) Annette asked if Nate had any idea of Ray's schedule for putting up that beam. She said that she didn't know when the Selectboard would get the letter from their historic expert. She feels like the town should just do it.
- c) Allen thresher moved all of the rollers for Dick. Nate will see if he wouldn't mind putting a ramp in with his little dozer.
- d) Ray was planning on doing it in the fall. Nate guesses October. He will talk to him.

12) Dale asked what is the truthfulness on signage - it says no outlet on Taylor rd which is an absolute fabrication and lie. There is an outlet; it is a town road. Liza said that the sign steered her off. Dale investigated because he didn't know what legally what was right.

- a) Jeremy said that the sign has been there.
- b) Annette said that we will have a site meeting at the next meeting.
- c) Dale said that putting gates in the road just to obstruct the road is not legal. Back in the day, agricultural gates were okay as long as the animal fences went right up to the gate.
- d) Dale said that her trail is not marked down there. He understands where they had the problem going up the road in the wrong direction. Getting back onto Taylor Rd you have to go across a lawn area without it being marked. No real evidence of where you do go. He suggests taking the gate across the road and take the gate to her road/driveway.
- e) Dale jokingly said to bail him out of jail because he is going to start using the road again (it has been a couple of months).
- f) Annette suggested that if he wants that legal trail to stay open and available - it might be a good idea to be respectful for the next two weeks until the next site visit. It will help your case a lot more.
- g) Dale said you are making a very good point. What about the directive from the state?
- h) Annette said we have the discretion and the power to declassify a road or restrict a trail. Annette said that personally she is in favor of trails but she does believe we need to have a lot of respect especially when people have animals.

- i) Dake said that he is concerned for his kids and grandkids because more and more of these roads get closed and they never get re-opened.
- j) Liza said that the sign shouldn't be there (no outlet) if it does have an outlet.
- k) **Next agenda - 9/16/15 - ewell pond entrance to Taylor Rd at 6pm.**

13) Peacham Fire District (PFD)

- a) John Kaplan said that this is really just to plan another field trip. He said that the shut off valves for the village water system get damaged from plowing sometimes and this is expensive. He wants to work with the road crew and the Selectboard to have them marked properly so that this does not happen in the future.
- b) John also said that one of the things the PFD has talked about in their meetings is maintaining the sidewalks and byways. This is within the PFD realm. but there are only 50 water users so they would be interested in working with the school and the town to share the costs.

14) Review and approve bills

- a) The Selectboard reviewed and approved bills.

15) Review correspondence

- a) The Selectboard reviewed and approved correspondence.

David moves to adjourn at 8:34pm. Nate seconds. So moved.